

Message Text

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ACTION IO-14

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E.O.11652: N/A
TAGS: UN
SUBJECT: SPECIAL COMMITTEE ON CHARTER

1. AT MARCH 13 PM MEETING OF SPECIAL COMMITTEE,
YUGOSLAVIA, GDR, TURKEY AND SPAIN SPOKE ON PEACEFUL
SETTLEMENT OF DISPUTES. YUGOSLAVIA CALLED FOR APPLICA-
TION CHARTER PRINCIPLES AND RELEVANT RESOLUTIONS;
SUGGESTED ESTABLISHING MECHANISM FOR IMPLEMENTATION
OF RESOLUTIONS, SUCH A MECHANISM COULD BE REPORTS
FROM MAIN UN ORGANS ON IMPLEMENTATION OF THEIR
RESOLUTIONS ADOPTED BY CONSENSUS OR UNANIMOUSLY,
YUGOSLAVIA SUGGESTED INCLUSION ON GA AGENDA OF ANNUAL
ITEM CONCERNING IMPLEMENTATION OF RESOLUTIONS.
YUGOSLAVIA SUGGESTED PERIODIC SC MEETINGS TO REVIEW
IMPLEMENTATION OF SC RESOLUTIONS AND DECISIONS;
LIKED US PROPOSALS ON THE SC; CALLED FOR PROMOTING
ROLE OF ICJ AND SUGGESTED ENLARGING ICJ TO MAKE IT
MORE REPRESENTATIONAL OF VARIOUS LEGAL SYSTEMS;
SUGGESTED INCLUSION ON 33RD GA AGENDA OF ITEM ON THE
PEACEFUL SETTLEMENT OF DISPUTES.

2. GDR SAID PEACEFUL SETTLEMENT OF DISPUTES COULD BE
FACILITATED IF PROVISIONS OF DECLARATIONS ON STRENGTHEN-
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ING INTERNATIONAL SECURITY AND FRIENDLY RELATIONS WERE
EMBODIED IN A BINDING CONVENTION WITH A CONCURRENT SC
RESOLUTION MAKING THOSE PROVISIONS BINDING ON SC
DECISIONS. GDR SAID MACHINERY FOR PEACEFUL SETTLEMENT
AVAILABLE; EXPRESSED RESERVATIONS TO ROMANIAN PROPOSALS
AND ASPECTS OF MEXICAN PROPOSAL; SUPPORTED FRENCH
PROPOSALS.

3. TURKEY SAID EXISTING MACHINERY NOT USED BECAUSE STATES JEALOUS OF THEIR SOVEREIGNTY, EACH CASE HAD SPECIAL FEATURES, PROCEDURES FOR DEALING WITH PEACEFUL SETTLEMENT NOT SUFFICIENTLY PRACTICAL OR EFFECTIVE; SUPPORTED MEXICAN PROPOSAL FOR A DECLARATION BUT VOICED RESERVATIONS TO CALVO CLAUSE; OPPOSED ROMANIAN PROPOSAL FOR GA COMMISSION; SUPPORTED FRENCH PROPOSALS. TURKEY SUGGESTED AN AFFIRMATION OF PRINCIPLE OF PEACEFUL SETTLEMENT; CONSIDERED DIRECT NEGOTIATIONS WERE MOST PRACTICAL METHOD OF PEACEFUL SETTLEMENT; SAID UN SHOULD ENCOURAGE MEMBER STATES TO CONCLUDE BILATERAL AGREEMENTS TO RESOLVE FUTURE DISPUTES IN CERTAIN AREAS AND SUPPORTED A PRACTICAL MANUAL ON PEACEFUL SETTLEMENT PROCEDURES.

4. SPAIN SUGGESTED THERE BE A "SCALE OF PROGRESS" FOR SETTLEMENT METHODS SET FORTH IN ARTICLE 33, IN THIS WAY, IF WITHIN A PARTICULAR TIME-LIMIT NO RESULTS REACHED BY USING ONE METHOD, ANOTHER METHOD MUST BE USED; SUGGESTED ESTABLISHMENT UNDER SYG OF PEACE OBSERVATION MACHINERY, OBSERVERS WOULD BE SENT BY SYG AT REQUEST OF A MEMBER STATE, PRESENCE OF OBSERVERS COULD ACT AS DETERENT TO POTENTIAL AGGRESSION; HOWEVER, IF SITUATION WORSENER, FACT-FINDING MACHINERY WOULD BE IN PLACE AND WOULD ENABLE SYG TO DRAW SC'S LIMITED OFFICIAL USE

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ATTENTION TO THAT SITUATION. SPAIN SAID ITS POSITION CLOSE TO MEXICO'S, SUPPORTED UK AND FRENCH PROPOSALS; CALLED FOR STUDY OF WAYS FOR PARTIES TO A DISPUTE TO BENEFIT FROM ICJ ADVISORY OPINIONS AND SAID CONSULTATION FUNCTIONS OF ICJ SHOULD BE PROMOTED.

5. CHAIRMAN ASKED REGIONAL GROUPS TO CONSULT IN PM ON ORGANIZATION OF COMMITTEE'S WORK. MEETING ADJOURNED UNTIL 10:30 AM ON MARCH 14.

6. AT WEO GROUP MEETING, PM OF MARCH 13, THERE WAS SUPPORT FOR ESTABLISHMENT OF AN INFORMAL GROUP TO START DRAFTING OF LIST CALLED FOR IN GA RES 32/45. INFORMAL GROUP WOULD BE OPEN-ENDED BUT MADE UP PRIMARILY OF THOSE MEMBERS THAT MADE SUGGESTIONS OR PROPOSALS AT THIS SESSION. THERE WAS GENERAL SUPPORT FOR ORGANIZING LIST OF PROPOSALS ON PEACEFUL SETTLEMENTS UNDER SUB-HEADINGS. THERE WAS NO AGREEMENT WITHIN WEO GROUP ON HOW TO PROCEED WITH RESPECT TO TASKS ASSIGNED TO COMMITTEE UNDER PARA 2 (IDENTIFYING THOSE PROPOSALS EVOKING SPECIAL INTEREST AND THOSE ON WHICH GENERAL AGREEMENT POSSIBLE). US, UK AND FRANCE CONSIDERED

INFORMAL GROUP COULD DETERMINE, AT TIME LIST DRAWN UP,
WHICH PROPOSALS HAD RECEIVED "SPECIAL INTEREST" AND
ON WHICH PROPOSALS GENERAL AGREEMENT WAS POSSIBLE.
SOME OTHER MEMBERS OF WEO GROUP, PARTICULARLY SPAIN AND
ITALY, SAW OPERATIVE PARA 2 AS PROVIDING A SERIES OF
STEPS OR STAGES THAT SHOULD BE FOLLOWED. YOUNG

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